

ADDITIONAL INFORMATION FOR THE RECORD

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Commission Question: Commissioner Reinsch requested a statement indicating which EU nations are going to, or are likely to, implement a Wassenaar catch-all obligation.

Answer: The European Union adopted a conventional arms catch-all in 2000 as one element of a new regulation concerning export controls for dual-use items and technology. That catch-all is established in Article 4.2 of Council Regulation Number 1334/2000, and as such is legally binding on all Member States of the European Union. Authorization is required for the export of items and technology not listed on the EU's dual-use control list if the purchaser or destination is "subject to an arms embargo decided by a common position or joint action adopted by the Council or a decision of the OSCE or an arms embargo imposed by a binding resolution" of the UN Security Council and the item is or may be intended for a military end-use.

Following adoption of this provision within the EU, the then 15 Members of the EU jointly sponsored a proposal in the Wassenaar Arrangement to adopt a similar provision. That proposal was adopted at the December 2003 Wassenaar Plenary.

Upon the entry of ten new Member States into the European Union on April 1, 2005, this Council Regulation became legally binding on those new Members as well.